**ALWAYS REFER TO THIS DOCUMENT ON-LINE FOR THE LATEST VERSION**

**Drafting Notes to assist with Model Text for inclusion in Procurement Documents for IT Contracts - Social Value Points Approach**

The Model Text for inclusion in the Specification and/or Invitation to Tender IT Contracts and accompanying drafting notes documents are guidance only. Contracting Authorities are strongly encouraged to tailor Social Value initiatives in line with the subject matter of the contract including the Authority’s policy objectives as set out in the relevant departmental social value strategy.

**Drafting Notes:**

1. **Document References**

Insert all document references throughout and update fields highlighted in yellow.

The schedule number will also need to be included within the award criteria and Social Value Delivery Plan.

1. **Background (clause 1.0 Background) and Terms**

The Contracting Authority can add policy/strategy detail here that is relevant to the contract, including referencing a departmental social value strategy.

The terms Supplier and Authority have been used throughout. Amend in line with terminology used on specific contract.

1. **Procurement Procedure (clause 2.0 Social Value Delivery Plan)**

Select the relevant clause for 2.0 depending on chosen procurement procedure. Delete the clause that is not relevant.

1. **Longer Terms Contracts (Clause 2.0 Social Value Delivery Plan)**

For longer term contracts, consider including the below / similar wording within clause 2.0:

*At annual contract review meetings, the Supplier will submit an updated Social Value Delivery Plan to forecast delivery of social value initiatives for the year ahead.*

*The Authority reserves the right to include additional social value initiatives in the Social Value Points matrix in clause 3.0 to reflect the development of social value priorities throughout the lifetime of the contract.*

*It is extremely important that the Supplier has the willingness and ability to respond to the wider social value context as it develops, proactively driving continuous improvement and evolution of the social value delivery to the benefit of the Authority.*

1. **Points cap**

Contracting Authorities can add a cap to the points target if the nature of the contract means the target is not achievable by including the below wording:

*capped at an averaged invoiced value of £3 million per annum.*

If applying a cap, the Contracting Authority may choose to increase this from £3 million per annum.

1. **References**

Update yellow text throughout document.

1. **Editing Social Value Points Matrix (clause 3.1 Social Value Points Matrix)**

In the Social Value Points Matrix, the Authority should:

* Delete rows as appropriate, based on which social value initiatives have been included in the contract
* Ensure that you have not included the same initiative twice.
* Ensure the social value initiatives selected in the Social Value Points Matrix match the Social Value Delivery Plan
* Ensure that you are identifying any minimum mandatory requirements / maximum caps against the relevant social value initiatives
1. **Including Minimum Mandatory Requirements within Social Value Points Matrix and relevant clauses (clause 3.1 Social Value Points Matrix)**

The Authority may wish to apply minimum requirements against certain social value initiatives which are of a higher priority. For example, if the Authority’s priority is digital inclusion you may wish to assign a target against digital skills development and educational attainment. Similarly, if the scope of the contract includes the provision of IT hardware you may wish to consider assigning a minimum target against one of the initiatives under theme 2 (e.g. Modern Slavery Assessment Tool initiative) and theme 3 (e.g. Environmental Action Plan).

**NB:** If you are not including minimum requirements, remove this column from the Social Value Points Matrix.

If you are including minimum requirements, ensure that:

1. They are identified within the minimum mandatory requirements column within the **Social Value Points Matrix** at clause 3.1. Model wording provided below to be inserted into relevant part of matrix:

*A minimum of [insert figure]% of the total social value points required on the Contract must be delivered for [insert name of social value initiative, e.g. digital skills and educational attainment] as per the requirements set out in clauses [insert clause numbers of relevant initiative here] of this Schedule.*

If you want to include one of the Action Plans as a minimum requirement please insert the following / similar wording into the relevant part of the Social Value Points Matrix:

*The Supplier must deliver an [insert name of the relevant Action Plan, e.g. Environmental Action Plan and annual updates as part of the overall social value points required on the Contract in line with clause [insert relevant clause number for Action Plan]*

Refer to Drafting Note 12 if including the Modern Slavery Assessment Tool as a mandatory requirement.

1. Identify minimum requirements within the **relevant clauses**. Model wording has been included below. For example, if the Authority has applied minimum requirements against digital skills development and educational attainment within the Social Value Points Matrix, the following / similar wording should be included within this specific clause):

*The Supplier must provide the minimum mandatory requirements for [insert name of social value initiative] listed within the Social Value Points Matrix in clause 3.1 of this Schedule.*

1. Identify any minimum mandatory requirements within the Social Value Delivery Plan.
2. Refer to drafting note 7.
3. Update award criteria to reflect minimum requirements.
4. **Including Mandatory Caps within Social Value Points Matrix (clause 3.1 Social Value Points Matrix)**

If including any of the below social value initiatives, consider applying a cap on the number of points that can be delivered through these:

* donation of ICT devices
* financial donations towards ICT qualifications
* financial donations towards ICT licences / software

See sample text highlighted within clause 3.1 and included below:

*A maximum of [insert percentage] % of the Social Value points required on the Contract can be delivered though [insert name of social value initiative, e.g. donation of ICT devices]*

Include any caps within the individual clauses (see drafting notes 30, 31 and 35) and the Social Value Delivery Plan

If mandatory caps will not be applied, remove wording from the Social Value Points Matrix (clause 3.1), the individual clauses and the Social Value Delivery Plan.

Please contact the Social Value Unit if you wish to discuss maximum caps.

1. **In Work Progression and Skills Development (clause 3.1 Social Value Points Matrix)**

The Authority should only include an in-work progression and skills development Action Plan for employees if this is a particular risk on the contract and the number of points may be increased to reflect this (e.g. up to 50 points). Ensure any change is also updated in the delivery plan.

1. **Fair Work Charter (clause 3.1 Social Value Points Matrix)**

Check what has been included regarding Fair Work at conditions of participation stage or as a condition of contract. Remove this if it has been sufficiently covered elsewhere.

1. **Modern Slavery Requirements (clause 3.1 Social Value Points Matrix)**

If the contract includes the provision of IT hardware, consider including the Modern Slavery Assessment Tool initiative as a mandatory requirement given the high risk of modern slavery associated with this.

Sample wording provided below to be included within the Social Value Points Matrix in clause 3.1:

*The Supplier must complete the Modern Slavery Assessment Tool, submit an improvement plan and provide annual updates as per clauses XX – XX of this Schedule as part of the overall social value points requirement on the contract.*

Refer to drafting note 42 for model wording to be included in specific clause.

**NB: Check overlap with PPN 05/21 and remove if this risk has been sufficiently covered elsewhere.**

1. **Supply Chain Map (clause 3.1 Social Value Points Matrix)**

The number of social value points assigned to this initiative should be increased / decreased depending on the complexity of the supply chain.

**NB: Check overlap with PPN 05/21 and remove if this risk has been sufficiently covered elsewhere.**

1. **Supply Chain Resilience Action Plan (clause 3.1 Social Value Points Matrix)**

Check overlap with PPN 03/21 and remove if this has been sufficiently covered elsewhere.

1. **Selecting Environmental Initiatives (clause 3.1 Social Value Delivery Plan)**

Please note the potential overlap across the indicators and initiatives within Theme 3. Avoid including multiple initiatives that are very similar, e.g. several of the action plans.

**NB: under indicator 3.1, do not include both the environmental action plan and environmental initiatives.**

**Refer to drafting note 45 for further information on environmental impact of ICT contracts.**

1. **Including Environmental Initiatives as a mandatory requirement (clause 3.1 Social Value Points Matrix)**

Depending on the subject matter of the contract, the Authority may wish to assign a mandatory requirement against one of the environmental initiatives under Theme 3.

For example, if the Contract involves the provision of IT hardware / development of IT software system / hosting services provided by the Suppler then an environmental initiative may be appropriate given the environmental impacts associated with these. See drafting note 41 for further details on this.

Sample wording provided below for the Social Value Points Matrix if including an Environmental Action Plan as a mandatory requirement:

**The Supplier must develop and submit to the Authority an Environmental Action Plan for the Contract including annual updates with quarterly actions as per clauses XX – XX of this Schedule as part of the overall social value points requirement delivered on the contract.**

Please amend wording depending on the environmental initiative selected.

1. **Health and Wellbeing Initiatives (clause 3.1 Social Value Points Matrix)**

Only include these initiatives if there is a Health & Wellbeing risk on the contract and the contract workforce is of a suitable size to allow for meaningful delivery.

Please refer to drafting note 48 against theme 4 for further details on the health and wellbeing risks associated with IT contracts.

Please note the potential for overlap across the initiatives and therefore do not duplicate when selecting initiatives.

1. **Including Priority Groups (clause 4.0 The Authority’s Priority Groups)**

This clause is relevant if there are certain groups which the Authority is responsible for delivering services / support to. For example:

* a person who is at risk of becoming involved in criminality or at risk of re-offending
* a person who is a Looked After Child/care leaver
* Or other groups which the Authority is focused on supporting.

If priority group options are selected in the Social Value Points Matrix at clause 3.1, the appropriate group must be named within the priority groups clause. Priority groups options must also be included within the Social Value Delivery Plan.

**Remove all references to priority groups if not including.**

1. **Selecting clauses based on Social Value Points Matrix (Clause 3.1)**

Only clauses relevant to the social value initiatives that have been included within the Social Value Points Matrix at clause 3.1 should be included. Delete those that are not relevant.

For example, if the Authority has selected paid employment within the Social Value Points Matrix at clause 3.1, the Authority must also include the relevant clause relating to employment opportunities.

The social value initiatives selected within the Social Value Points Matrix at clause 3.1 must match the individual clauses **and the Social Value Delivery Plan**.

1. **People who have a disability (clause X.0 Paid Employment Opportunities)**

Contracting Authorities who would like to incentivise contractors to employ people with a disability can move this bullet point to be included in 4.0 the Authority’s Priority Groups.

If you are including priority groups, ensure this is reflected in the Social Value Matrix in clause 3.1.

1. **Examples for unwaged work placements (clause X.0 Unwaged Work Placements)**

The Authority can add additional examples of groups who face barriers to employment.

1. **People who have a disability (clause X.0 Unwaged Work Placements)**

Contracting Authorities who would like to incentivise Contractors to provide work placements to people with a disability can move this bullet point to be included in 4.0 Contracting Authority’s Priority Groups.

1. **Examples for skills development and educational attainment (clause X.0 Skills Development and Educational Attainment)**

The Authority can add additional examples of groups who are disadvantaged in the labour market or at risk of social exclusion

1. **People who have a disability (clause X.0 Skills Development and Educational Attainment)**

Authorities who would like to incentivise contractors to provide this initiative to people with a disability can move this bullet point to be included in 4.0 the Authority’s Priority Groups.

1. **Examples for Clause X.0 Digital Skills Development and Educational Attainment**

The Authority can add additional examples of groups who are at risk of digital exclusion.

1. **People who have a disability (clause X.0 Digital Skills Development and Educational Attainment)**

Authorities who would like to incentivise contractors to provide this initiative to people with a disability can move this bullet point to be included in 4.0 the Authority’s Priority Groups.

1. **Examples for Clause X.0 Donation of ICT Devices to Support Digital Skills Development and Educational Attainment**

The Authority can add additional examples of groups who are at risk of digital exclusion for donation of ICT devices.

1. **Cap on social value points (clauses X.0 Donation of ICT hardware to support development and educational attainment)**

Consider including cap if you wish to limit the number of social value points that the Contractor can deliver through this initiative. Model wording included within clause X.0 Digital skills development and educational attainment.

**Remove wording if not applying cap**.

1. **Examples for Financial Support**

The Authority can add additional examples of groups who face barriers to employment in relation to the provision of financial support for ICT qualifications.

1. **Cap on social value points (clauses X.0 Financial support for digital skills development and educational attainment)**

Consider including cap if you wish to limit the number of social value points that the Contractor can deliver through this initiative. Model wording included within clause X.0 Financial support for digital skills development and educational attainment.

Remove wording if not applying cap.

1. **Relevant examples for Clause X.0 Cyber Security Initiatives**

The Contracting Authority may include relevant examples of groups known to be at risk of becoming victims of cyber crime.

1. **People who have a disability (clause X.0 Paid Green Employment Opportunities – Green Jobs and Skills)**

Contracting Authorities who would like to incentivise contractors to employ people with a disability can move this bullet point to be included in 4.0 the Authority’s Priority Groups.

If you are including priority groups, ensure this is reflected in the Social Value Matrix in clause 3.1.

1. **Examples for unwaged green work placements (clause X.0 Unwaged Work Placements) – Green Jobs and Skills**

The Authority can add additional examples of groups who face barriers to employment.

1. **People who have a disability (clause X.0 Unwaged Green Work Placements – Green Jobs and Skills)**

Contracting Authorities who would like to incentivise Contractors to provide work placements to people with a disability can move this bullet point to be included in 4.0 Contracting Authority’s Priority Groups.

1. **Examples for green skills development and educational attainment (clause X.0 Green Skills Development and Educational Attainment)**

The Authority can add additional examples of groups who are disadvantaged in the labour market or at risk of social exclusion

1. **People who have a disability (clause X.0 Unwaged Green Work Placements – Green Jobs and Skills)**

Contracting Authorities who would like to incentivise Contractors to provide work placements to people with a disability can move this bullet point to be included in 4.0 Contracting Authority’s Priority Groups.

1. **Relevant examples for Clause X.0 In-Work Progression and Skills Development Action Plan**

Contracting Authority should update depending on their priorities.

1. **Selecting Theme 2**

Before selecting initiatives under this theme, ensure there isn’t overlap with what is set out elsewhere in the contract, especially mandatory fair work and human rights obligations

1. **Fair Work (clause X.0 Fair work practices)**

Only include this initiative where there is a known issue on the contract. Check what has been included re Fair Work at selection stage or as a condition of contract and ensure you have not duplicated initiatives.

Update yellow fields in relation to number of days.

1. **Tailoring Clause X.0 – Equality, Diversity and Inclusion Positive Action**

Insert clause reference to employment clause. If you have not applied the employment clause to your contract then remove the reference within this clause.

Insert clause reference to priority groups. Remove reference if priority groups have not been applied on the contract.

1. **Initiatives under Indicator 2.2**

Check any overlap with actions taken under PPN 05/21 and remove if already covered elsewhere.

1. **Clause X.0 Modern Slavery Assessment Tool**

Update yellow field in relation to number of weeks for completion.

Refer to drafting note 12. If the contract involves the provision of hardware, consider including the Modern Slavery Assessment Tool as a mandatory requirement and including / editing the sample wording within the clause (provided below for reference)

*The Supplier must provide the mandatory minimum requirements for the Modern Slavery Assessment Tool listed within the Social Value Points Matrix in clause 3.1 and clauses XX – XX of this Schedule.*

1. **Clause X.0 Supply Chain Map for the Contract**

Only include this initiative if it is not included elsewhere in the tender as part of the implementation of PPN 05/21 Human Rights & Public Procurement.

Update yellow reference in relation to number of days in both paragraphs of this clause.

1. **Tailoring Clause X.0 Business Development and Knowledge Sharing**

The Contracting Authority may wish to target this initiative to sectors / groups which are of greater importance, where relevant. For example, if the Contracting Authority’s priority groups are people with disabilities and Looked After Children and care leavers, the Authority may wish to tailor this initiatives to organisations working with these priority groups.

If this initiative is targeted to specific sectors / groups, the Authority may wish to consider increasing the number of points in the Social Value Points Matrix in Clause 3.1 from 10 points to 15 points.

## **Cap on social value points (clauses X.0 Donation of IT software and / licences to support digital capacity building within the Voluntary, Community and Social Enterprise Sector in Northern Ireland)**

Consider including cap if you wish to limit the number of social value points that the Contractor can deliver through this initiative. Model wording included within clause X.0 Donation of IT software and / licences to support digital capacity building within the Voluntary, Community and Social Enterprise Sector in Northern Ireland.

Remove wording if not applying cap.

1. **Clause X.0 Supply Chain Resilience and Capacity**

Only include this initiative if it is not included elsewhere in the tender as part of the implementation of PPN 03/21 Supply Chain Resilience.

Tailor the scope in line with the subject matter of the contract and remove / add accordingly.

Remove reference to cyber security if including elsewhere.

1. **Theme 3 – Environmental Initiatives**

**NB: Please note overlap between some of the theme 3 indicators and initiatives. When selecting indicators and initiatives, ensure you are not including initiatives that are similar in scope. The Environmental Action Plan may be the preferred initiative as it spans a range of environmental risks and opportunities.**

**Do not include both action plans and initiatives as this will create duplication.**

Tailor environmental initiatives to reflect specific environmental risks and opportunities associated with the scope of the contract (e.g. remove reference to hosting if not required on the contract).

For example, risks associated with IT contracts can include:

* Climate change is linked to the energy consumption of ICT products
* Impact on air, water, soil, biodiversity and human health of hazardous substances found in ICT products
* Climate change effects and natural resource depletion linked to manufacturing delivering and disposing of new products
* Specific environmental impact of battery production and end of life, including use of hazardous materials
* Climate change effects and natural resource depletion linked to frequent replacement of ICT products
* Use of fossil fuels and accumulation of plastic waste
* End of life impacts including the release of hazardous substances into the soil, air and water

In relation to data centres, risks can include:

* Electricity consumption of ICT on servers in Data Centres
* Mechanical and electrical system impact in data centres regulating the internal temperature in the centres
* Direct and indirect greenhouse gas (GHG) emissions linked to data centre operations: electricity consumption, refrigerants, manufacturing of ICT systems, unexploited opportunity for waste heat reuse, the use of high global warming gases in cooling systems etc.
1. **Clause X.0 Environmental Action Plan**

Tailor clause in line with the subject matter of the contract and specific environmental risks and opportunities on the contract. Remove any bullet points not relevant to contract (e.g. delete reference to hosting if not required on the contract) Refer to drafting note 45 above.

Update yellow field in relation to number of days.

1. **Mandatory Requirement - Clause X.0 Environmental Action Plan**

Sample wording if including initiative as a mandatory requirement. Note drafting note 45 above regarding environmental risks and opportunities on IT contracts.

If including as a mandatory requirement, update Social Value Points Matrix at clause 3.1 and Social Value Delivery Plan.

Remove wording if not including initiative as a mandatory requirement.

1. **Clause X.0 Climate Adaptation Action Plan for the Contract**

Tailor clause in line with the subject matter of the contract and specific environmental risks and opportunities on the contract. Refer to drafting note 45 above.

Update yellow field in relation to number of days.

1. **Clause X.0 Biodiversity Action Plan for the Contract**

Tailor clause in line with the subject matter of the contract and specific environmental risks and opportunities on the contract. Refer to drafting note 45 above.

Update yellow field in relation to number of days.

1. **Clause X.0 Action Plan for Minimising Carbon Footprint and Emissions, including throughout the supply chain**

Consider increasing points allocation for this initiative if requiring Contractor to conduct a carbon baseline for the Contract.

Update yellow field in relation to number of days.

1. **Clause X.0 Green Transport Programme for the Contract**

Only select this initiative for contracts with significant travel.

1. **Clause X.0 Action Plan for Improving Air and Water Quality on the Contract**

Tailor clause in line with the subject matter of the contract and specific environmental risks and opportunities on the contract. Refer to drafting note 45 above.

Update yellow field in relation to number of days.

## **Clause X.0 Circular Economy Action Plan for the contract**

Tailor clause in line with the subject matter of the contract and specific environmental risks and opportunities on the contract. Refer to drafting note 45 above.

Update yellow field in relation to number of days.

1. **Clause X.0 Embodied Carbon Reduction Action Plan**

Ensure embodied carbon is an issue on the contract before selecting this initiative. Tailor to reflect specific requirements on the contract.

1. **Theme 4 – Promoting Wellbeing Initiatives**

**NB: If selecting a number of initiatives under Theme 4, please be aware of potential duplication.**

Only include these initiatives if there is a Health & Wellbeing risk on the contract and the contract workforce is of a size to allow for meaningful delivery. If including, tailor to reflect the health and wellbeing risks and opportunities relevant to your contract. For example:

* include requirement to report on attrition rates and actions to mitigate this risk if staff turnover is an issue for a contract of this nature
* include requirement to report on results from employee satisfaction surveys for the contract workforce
* If remote working is a common feature of this contract, tailor the health and wellbeing action plan to reflect this
* Common risks associated with IT contracts include: health and wellbeing issues due to remote working, long hours, fast pace and increasing workload impacting work-life balance, company culture not prioritising health and wellbeing etc.
1. **Clause X.0 Health and Wellbeing Action Plan**

Tailor to reflect specific health and wellbeing risks and opportunities associated with contract, e.g. high attrition rates, remote working etc. Refer to drafting note 55 for ideas on relevant risks and opportunities.

Insert number of days within highlighted yellow field.

1. **Clause X.0 Equality, Diversity and Inclusion Action Plan**

Tailor to reflect any specific equality, diversity and inclusion risks associated with the contract/sector.

Insert number of days within highlighted yellow field.

1. **Clause X.0 Equality, Diversity and Inclusion Positive Action**

Insert the number for the employment and Priority Group clauses.

Delete Priority Group if the Contracting Authority has not listed Priority Groups.

1. **Clause X.0 Local initiatives to reduce poverty and inequality in the area where the contract is delivered**

These initiatives should be edited in accordance with the subject matter of the contract

1. **Clause X.0 Monitoring Information**

Set reporting frequency as monthly, quarterly, every six months or annually. Frequency will be contingent up contract duration and value.